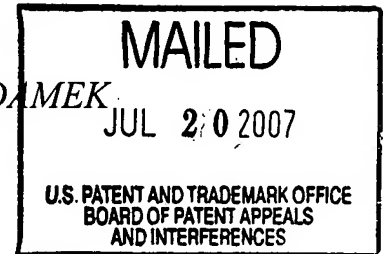


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ALFRED PREUKSCHAT and JURGEN ADAMEK

Application 10/008,895
Technology Center 3600



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences on July 13, 2007. A review has determined that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

Appeal Brief

Appellants filed an Appeal Brief which was received by the USPTO on September 25, 2006. The content furnished under the heading “**Status of Amendments**” (See Br. 2) is incorrect stating all previous amendments have been entered. There is no indication on the record that the After-Final amendment on July 12, 2006 was considered by the examiner. A written communication notifying appellant of the examiners consideration is required. Any amendments received during this stage of prosecution must be submitted in a separate paper clearly labeled as such, and most importantly *are to be entered upon the discretion of the Examiner*. Correction is hereby required. *See MPEP § 1206.*

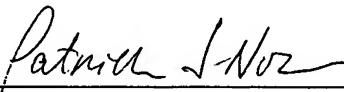
Application 10/008,895

Appropriate correction is required.

Accordingly, it is *ORDERED* that the application is returned to the Examiner:

- 1) to notify Appellant's of the entry status of the amendment filed July 12, 2006;
- 2) if necessary, to
 - A) hold the Appeal Brief filed September 25, 2006, defective;
 - B) to notify Appellants to file a Supplemental Appeal Brief providing the content for the *Status of Amendments* portions of the Brief;
 - C) to consider the Supplemental Appeal Brief; and,
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

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44 MAPLE COURT
HIGHLAND PARK, NJ 08904

PJN/tlc